IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE PIUS C.KURIAKOSE

WEDNESDAY, THE 7TH MARCH 2007 / 16TH PHALGUNA 1928

WP(C).No. 7619 of 2007(F)

PETITIONER:

C.V.VELAYUDHAN, S/O.UNICHIRA, AGED 56 YEARS,
RETD. BLACKSMITH, K.S.R.T.C., A.T.O., NORTH PARAVUR,
RESIDING AT CHEEROTHI HOUSE,
NANTHIKULANGARA, MANNAM PO., NORTH PARAVUR.

BY ADV. SRI.C.A.CHACKO
SMT.C.M.CHARISMA
SRI.N.A.SHAFEEK

RESPONDENTS:

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1. THE MANAGING DIRECTOR, K.S.R.T.C., TRANSPORT BHAVAN, THIRUVANANTHAPURAM.

2. THE ASSISTANT TRANSPORT OFFICER, K.S.R.T.C., NORTH PARAVUR.

3. THE STAFF WELFARE FUND COMMITTEE, K.S.R.T.C., REP. BY THE CHAIRMAN (M.D., K.S.R.T.C.), TRANSPORT BHAVAN, THIRUVANANTHAPURAM.

BY SRI.JOHNSON P.JOHN, SC.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 07/03/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

PIUS C. KURIAKOSE, J.

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W.P.(C) No.7619 OF 2007

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DATED THIS THE 7TH MARCH, 2007

J U D G M E N T

This Writ Petition has been filed by an employee of the K.S.R.T.C. who retired on 31.3.2006, seeking out-of-turn release of all his retiral benefits. According to him, he had to conduct the marriage of his daughter by availing loan from the District Co-operative Bank and the District Co-operative Bank is now at his doors pressing for repayment. He refers to the judgment of this Court in Writ Appeal No.1775 of 2004 and seeks immediate directions for release of his retiral benefits.

2. Mr.Johnson P.John, Standing Counsel takes notice on behalf of the K.S.R.T.C.. Mr.Johnson submits that circumstances envisaged by the judgment in W.A.No.1775 of 2004 do not exist in the present case.

3. I find that Ext.P4 representation has been submitted by the petitioner before the K.S.R.T.C. As regards the amounts due to the petitioner by way of D.C.R.G. and Commuted Value of Pension, it is for the K.S.R.T.C. to take a decision on the basis of the grounds raised in the Writ Petition. Accordingly this Writ Petition will stand disposed of by issuing the following directions:-

The respondents will release to the petitioner within two months of their receiving copy of this judgment all the amounts due to him on account of his Provident Fund closure together with statutory interest till date of payment and also on account of Staff Welfare Fund. Within the aforesaid time-limit, the K.S.R.T.C. will take up Ext.P4 representation, consider the same in the light of the various grounds raised in the Writ Petition and also the judgment of this Court in W.A.No.1775 of 2004 and take a decision, and communicate the decision to the petitioner. The petitioner will produce a copy of this Writ Petition as well as copy of the judgment in W.A.No.1775 of 2004 along with copy of this judgment before the respondents.

(PIUS C. KURIAKOSE, JUDGE)

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